

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
v.) Cr. No. 04-10060-RCL
)
GEORGE SCHUSSEL,)
Defendant.)

DEFENDANT GEORGE SCHUSSEL'S PROPOSED JURY VOIR DIRE QUESTIONS

1. Have you or any member of your immediate family or any close friend ever been employed, directly or indirectly, by the Internal Revenue Service or any state or federal law enforcement agency, including military police or private security firm?
2. Have you ever before served as a juror in a criminal case? If so, what was the verdict?
3. Have you ever before received training or education in bookkeeping, accounting, or the preparation of tax returns?
4. Do you or your spouse prepare your own federal individual tax return?
5. If you are selected as a juror in this case, you will be required to take a sworn oath to, among other things, be a fair and impartial juror, to decide the case based upon evidence presented in court, and to apply the law as the court explains it to you.
 - a. Do you understand this obligation?
 - b. Could you properly take such an oath?
 - c. Would you obey such an oath?
6. Among the legal principles you would be required to understand and follow if you are selected as a juror in this case are the following:
 - a. Under our laws every defendant is presumed innocent, and he or she cannot be found guilty unless a jury, having heard all of the evidence in the case, unanimously decides that the evidence proves his or her guilt beyond a reasonable doubt.
 - i. Do you understand this rule?
 - ii. Would you follow this legal principle?
 - b. In our system of justice, as a matter of law, an accused person (that is, a defendant) does not bear the burden of having to prove his or her innocence.

- i. Do you understand this rule?
- ii. Would you follow this legal principle?

7. It is the obligation of jurors to weigh the evidence and decide whether or not, based solely on the evidence and the law as the Court instructs, a defendant is guilty beyond a reasonable doubt.

a. Do you believe that, because a person has been charged by the government with a crime, he is therefore probably guilty of the crime?

b. If you came to the conclusion that the defendant had indeed committed the crime of tax evasion at some time, but that the statute of limitations barred prosecution for such crime, would you nevertheless be able to return a verdict of not guilty?

c. If you came to the conclusion that the prosecution had not proven the guilt of the defendant beyond a reasonable doubt, and you found that a majority of the jurors believed him to be guilty, would you change your verdict only because you were in the minority?

8. Do you believe that high income earners do not pay their fair share of taxes?

9. Do you believe that high income earners are more likely to cheat on their taxes?

10. Do you believe that it is possible, even for an educated business person, to innocently run afoul of the tax laws?

11. Do you have any special knowledge of auditing procedures or tax law? If so, how did you gain that knowledge?

12. Do you know of any reason at all why you would not be able to serve as an impartial juror in this case?

By their attorneys,

/s/ Francis J. DiMento
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on December 29, 2006.

/s/ Francis J. DiMento